

Emergency Watershed Protection Program

2009 FACT SHEET



The Emergency Watershed Protection Program (EWPP) was amended under Section 382 of the Federal Agriculture Improvement and Reform Act of 1996, Public Law 104-127, to provide for the purchase of floodplain easements as an emergency measure. Since 1996, the Natural Resources Conservation Service (NRCS) has purchased floodplain easements on lands that qualify for EWPP assistance. Floodplain easements restore, protect, maintain, and enhance the functions of the floodplain; conserve natural values including fish and wildlife habitat, water quality, flood water retention, ground water recharge, and open space; reduce long-term federal disaster assistance; and safeguard lives and property from floods, drought, and the products of erosion.



Eligibility

NRCS may purchase EWPP easements on non-federal agricultural floodplains that have been impaired within the last 12 months or that have a history of repeated flooding (i.e., flooded at least two times during the past 10 years), and that are comprised of a predominance of non-hydric soils. Eligible land may include cropland, pasture and woodland. Cropland parcels will rank highest since significant flood plain ecological functions will be gained by restoring these lands to natural conditions.

Restoration of the Floodplain

The conservation easement acquired by NRCS provides the authority for NRCS to restore and enhance the floodplain's functions and values to natural conditions to the greatest extent practicable. NRCS may pay up to 100 percent of the restoration costs. NRCS actively restores the natural features and characteristics of the floodplain by re-creating the topographic diversity, providing for the re-establishment of native vegetation, and increasing the duration of inundation and saturation.

Easement Value

In exchange for the floodplain easement, a landowner receives the lowest of the three values as an easement payment: value based on a market analysis, a geographic rate established by the NRCS State Conservationist or the landowner offer.

The Geographic Rate Caps for 2009 in New Jersey are:

- Annually tilled dry cropland, pasture land or permanent hayland: \$6,000 per acre
- Specialty cropland or irrigated cropland: \$9,000 per acre
- Woodland: \$2,000 per acre

Landowner Use

Landowners retain several rights to the property, including the right to:

- Quiet enjoyment,
- Control public access, and
- Undeveloped recreational use such as hunting and fishing.

At any time, a landowner may obtain authorization from NRCS to engage in other activities, provided that NRCS determines the activity will further the protection and enhancement of the easement's floodplain functions and values. These compatible uses may include managed timber harvest, periodic haying, or grazing. NRCS determines the amount, method, timing, intensity, and duration of any compatible use that might be authorized. While a landowner can realize economic returns from an activity allowed for on the easement area, a landowner is not assured of any specific level or frequency of such use, and the authorization does not vest any right of any kind to the landowner.

How to Apply

Applications for EWPP easements will be accepted at NJ USDA Service Centers between Monday March 9, 2009 and **Friday March 27, 2009**.

Landowners apply by filing an AD-1153, Application for Long-Term Contracted Assistance, and by providing NRCS with a copy of their land deed. Entities will also need to submit, with their application, the corporate papers, power of attorney (FSA-211), or notarization from the entity that has authorized a person to act on the entity's behalf. They must use the exact name of the legal entity and correct EIN/TIN on all paperwork.

The EWPP program is authorized outside of the 2008 Farm Bill. Farm Bill person and land eligibility criteria, such as Adjusted Gross Income and compliance with Highly Erodible Land Conservation provisions, does not apply.

After Restoration, Then What?

NRCS and its partners continue to provide assistance to landowners after completion of restoration activities. This assistance may be in the form of reviewing restoration measures, clarifying technical and administrative aspects of the easement and project management needs, and periodic reviews to ensure compliance with the easement deed.



Lands Not Eligible

Lands that are eligible for a conservation easement under the Wetland Reserve Program (WRP) or Grassland Reserve Program (GRP) are not eligible for EWPP. Lands currently encumbered by another federal or state conservation easement such as WRP, GRP, Farm and Ranch Lands Protection Program (FRPP), or the state Farmland Preservation Program, are not eligible for EWPP.

Lands currently enrolled in a Conservation Reserve Program (CRP), GRP, Environmental Quality Incentives Program (EQIP) or Agricultural Management Assistance Program (AMA) contract may be eligible if the landowner agrees to cancel that contract and reimburse the agency any payments made and liquidated damages.

For More Information or to Sign Up, Contact Your Local USDA Service Center:

Burlington, Camden and Ocean counties

Columbus Service Center

1971 Jacksonville-Jobstown Road, Columbus NJ 08036
Telephone: (609) 267-1639

Mercer, Middlesex and Monmouth counties

Freehold Service Center

4000 Kozloski Rd. Box 5033, Freehold, NJ 07728
Telephone: (732) 462-0075

Hunterdon, Somerset and Union counties

Frenchtown Service Center

687 Pittstown Rd Suite 2, Frenchtown, NJ 08825
Telephone: (908) 782-4614

Bergen, Morris, Passaic, Sussex and Warren counties

Hackettstown Service Center

Bldg #1, 101 Bilby Rd, Hackettstown, NJ 07840
Telephone: (908) 852-2576

Atlantic, Cape May and Cumberland counties

Vineland Service Center

1317 South Main Rd. Bldg 3, Vineland, NJ 08360
Telephone: (856) 205-1225

Gloucester and Salem counties

Woodstown Service Center

51 Cheney Road, Suite 2, Woodstown, NJ 08098
Telephone: (856) 769-1126

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3/9/09